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PROVISIONS OF THE FEDERAL INSECTICIDE, FUNGICIDE,
AND RODENTICIDE ACT AS AMENDED IN 1972

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This information has been compiled as an aid in responding to the many requests received each year by the Agricultural Research Service, U.S. Department of Agriculture (USDA), from the general public. USDA no longer has the responsibility for regulating the registration and use of pesticides. This responsibility was transferred to the Environmental Protection Agency (EPA) in 1970.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) was amended in 1972. FIFRA is administered by the Environmental Protection Agency.

Some sections of the 1972 amendment became effective immediately, while others have deadlines for later enforcement, pending the establishment of regulations and development of Federal standards to guide States in implementing the legislation. All of the provisions of the amendment must be in effect by October 1976.

The amendment extends Federal registration and regulation to all pesticides, including those distributed or used within a single State. It requires the proper application of pesticides to insure greater protection of man and the environment. It prohibits the use of any registered pesticide in a manner inconsistent with labeling instructions. It specifies that pesticides must be classified for "general use" or "restricted use" by October 1976, and that Federal standards for certification of pesticide applicators for use of restricted pesticides must be set forth. Pesticide manufacturing plants must be registered with the Federal Government.

Before registration may be granted for a pesticide product, the manufacturer is required to provide scientific evidence that the product, when used as directed, will (1) effectively control the pest(s) listed on the label, (2) not injure humans, crops, livestock, wildlife, or the total environment, and (3) not result in illegal residues in food or feed.

Some amendments provided in 1972 are--

* The use of any registered pesticide in a manner inconsistent with the labeling is prohibited, effectively immediately. Civil and criminal penalties for misuse of pesticides are provided.

* Knowing violations of the act by farmers or other private applicators can result in fines of up to \$1,000 or 30 days imprisonment, or both, upon criminal conviction. Second and subsequent offenses are subject to civil fines of up to \$1,000 as well.

* Any registrant, commercial applicator, wholesaler, dealer, retailer, or other distributor, who knowingly violates the law, is liable to a criminal fine of up to \$25,000 or 1 year in prison, or both, and to civil penalties of up to \$5,000 for each offense.

* Pesticides must be classified for general use or restricted use.

* The States will certify pesticide applicators for use of restricted pesticides. The act allows 4 years for development of certification programs. Federal standards for certification must be set forth and the States must submit their certification programs based on these standards by 1975. The State programs must be approved or rejected within 1 year of submission.

* The administrator of EPA may issue orders stopping the sale, use, or removal of any product when it appears that the product is in violation of the act or the registration has been suspended and finally cancelled. Products in violation of the act may also be seized.

* Pesticide manufacturing plants must be registered by EPA.

* EPA is required to develop procedures and regulations for the storage and disposal of pesticide containers. They must accept, at convenient locations for disposal, pesticides which have had registrations suspended and then cancelled.

* EPA is authorized to issue experimental use permits, conduct research on pesticides and alternatives, and monitor pesticide use and presence in the environment.

* The owners of certain pesticides whose registrations are suspended and finally cancelled are entitled to indemnification.

* States are authorized to issue limited registrations for pesticides intended for special local needs.

* States may impose more stringent regulations on pesticides than the Federal Government, except for packaging and labeling.

* The views of the Secretary of Agriculture are required to be solicited before publishing regulations under the act.

* Federal registration of all pesticide products, whether they are shipped in interstate or intrastate commerce, is required under the amended act.

USDA is committed to the development and use of those means of practicable, effective pest control methods that will result in maximal protection against pests and the least potential hazard to man and his environment. In conforming to this policy, the Department and the State Agricultural Experiment Stations have continued activities designed to control and manage pests by chemical, integrated, and nonchemical methods. Pest control research includes chemical, biological, cultural, and genetic techniques.

Where to obtain additional information--

Additional information on the regulation and registration of pesticides may be obtained from the Environmental Protection Agency, Office of Pesticides Programs, Waterside Mall Building, 4th and M Streets, SW, Washington, D.C. 20460, or one of its regional offices. A list of the regional offices follows.

<u>Region</u>	<u>Address</u>	<u>Telephone</u>
1	John F. Kennedy Federal Building, Room 2203 Boston, Massachusetts 02203	617 223-7210
2	26 Federal Plaza, Room 908 New York, New York 10007	212 264-2525
3	Curtis Building, 6th and Walnut Streets Philadelphia, Pennsylvania 19106	215 597-9801
4	1421 Peachtree Street, NE Atlanta, Georgia 30309	404 526-5727
5	1 North Wacker Drive Chicago, Illinois 60606	312 353-5250
6	1600 Patterson Street, Suite 1100 Dallas, Texas 75201	214 749-1962
7	1735 Baltimore Avenue Kansas City, Missouri 64108	316 374-5493
8	1860 Lincoln Street, Suite 900 Denver, Colorado 80203	303 837-3895
9	100 California Street San Francisco, California 94111	415 556-2320
10	1200 6th Avenue Seattle, Washington 98101	202 442-1220

